

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Waterford City and County

Planning Register Reference Number: 16/293

An Bord Pleanála Reference Number: PL 93.247683

APPEAL by Kieran Moynihan of 79 An Grainan, Ballinroad, Dungarvan, County Waterford against the decision made on the 10th day of November, 2016 by Waterford City and County Council to grant subject to conditions a permission to Dungarvan Rugby Football Club care of EKCE Consulting Engineer Limited of Fruithill, Dungarvan, County Waterford in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Installation of a ball catch netting system to northern side of current training pitch. Retention of permission for nine number existing flood lighting columns and for a palisade fence as erected to the northern boundary which includes a pedestrian gateway, all at Ballyrandle, Dungarvan, County Waterford.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the nature of the development, the existing use on the site and the planning history of the site it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 20th day of October 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed floodlighting shall only be used between the 15th day of September and 1st day of April in any year. Within this period, the proposed floodlights shall not be operated or in use between the hours of 22.00 and 09.00 hours, Monday to Friday and between the hours of 19.00 to 09.00 hours on Saturday and Sunday.

Reason: To protect the residential amenities of property in the vicinity.

3. The existing palisade fence, for which retention is sought, shall be painted or colour coated entirely in a dark green colour within six months of the date of this order

Reason: To protect the residential amenities of property in the vicinity.

4. The ball catch netting system shall be green in colour and all posts shall be of timber or, if of other materials, shall be coloured dark green.

Reason: To protect the residential amenities of property in the vicinity of the site.

5. The section of the boundary to be landscaped shall be extended to include not only the length of palisade fence but extended north-eastwards to include the area behind the ball catch netting system. The landscaped area which shall adjoin the site boundary shall provide for:

- A raised contoured earthen berm one metre in depth and varying between 0.5 and one metre in height.
- The top of the berm shall be planted with native hedgerow species and the area shall also be interspersed with a mixture of indigenous native trees.

Details regarding the species to be planted together with a timescale of implementation shall be submitted to and agreed in writing with the planning authority within three months of the date of this order.

Reason: In the interest of visual amenity.

6. The gate in the palisade fence shall not be used as a means of general public entrance and admittance to the site and shall not be used other than during periods of training for purposes associated with training.

Reason: To protect the residential amenities of property in the vicinity of the site and in the interest of orderly development.

7. The existing lighting columns and associated infrastructure on the site which are not part of this development shall be removed from the site and the lands restored within six months of this grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity of the site and in the interest of visual amenity.

8. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 hours Mondays to Fridays inclusive, between 08.00 hours to 14.00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017.